

REMARKS

Claims 1, 3, 5-8, 11-14 and 17-19 were rejected under 35 U.S.C. 102(b) on the grounds of anticipation by WO97/43210, which teaches the use of strontium peroxide in combination with copper oxide and/or nickel oxide as a catalyst. The Examiner indicated that although this reference does not specifically state that cobalt oxide is present in the oxygen generating composition as a catalyst, it teaches that cobalt oxide is present in an oxygen generating composition catalytic amounts. At page 2, lines 1-12, WO97/43210 does teach the use of cobalt oxide as a catalyst, but it also teaches that "Cobalt oxide has a very high catalytic activity in the decomposition of sodium chlorate, so that only a small amount of cobalt oxide (typically as low as 0.1%) is necessary to catalyze the decomposition of sodium chlorate. Such small amounts of the catalyst are difficult to uniformly distribute in a mixture of such an oxygen generating composition, so that an uneven distribution of cobalt oxide can result in variations in reactivity from core to core, and can result in low yields of satisfactory oxygen generating candles or cores. Oxygen generating compositions formulated with cobalt oxide and an inhibitor such as calcium hydroxide can have localized regions having a high cobalt oxide concentration and a low calcium hydroxide concentration occur due to imperfect mixing, with a far higher decomposition rate than other localized regions

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with a low cobalt oxide and a high calcium hydroxide concentration, leading to erratic and unpredictable performance." It is respectfully submitted that WO97/43210 teaches away from the use of cobalt oxide as a catalyst.

At page 5, lines 3-24, WO97/43210 teaches substitution of copper oxide, nickel oxide, and combinations thereof for cobalt oxide as a catalyst in order to overcome the noted problems of using cobalt oxide as a catalyst in the prior art, and using one or more alkaline compounds that may include a strontium peroxide as a chlorine remover and reaction rate modifier. Insofar as WO97/43210 teaches the combination of strontium peroxide as a chlorine remover and reaction rate modifier with copper oxide and/or nickel oxide as a catalyst, as a replacement for cobalt oxide in order to overcome the prior art problems of using cobalt oxide as a catalyst, it is respectfully submitted that WO97/43210 teaches directly away from the combination of cobalt oxide as a catalyst with strontium peroxide.

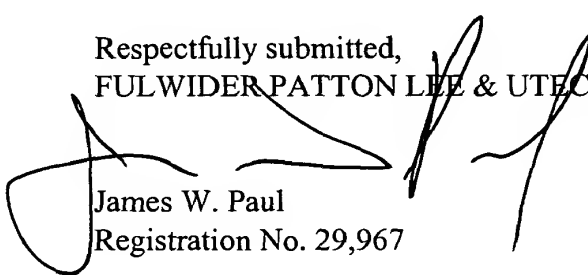
Claim 1 recites "cobalt oxide as a catalyst; strontium peroxide," and Claims 8 and 14 recite "... strontium peroxide as a catalyst, a chlorine suppressant, a reaction rate modifier, and a secondary oxygen source; about 0.5-4% by weight of cobalt oxide as a catalyst." In contrast to the teaching of WO97/43210, the present application teaches, as is noted in the specification from page 9, line 30, to page 10, line 6, "When used together with transition metal oxide catalysts such as cobalt oxide, strontium peroxide serves as a reaction

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rate modifier that slows down the reaction and makes the reaction proceed in a controlled and organized way." It is respectfully submitted that WO9743210 does not teach or suggest the use of cobalt oxide as a catalyst in combination with strontium peroxide in an oxygen generating composition. It is therefore respectfully submitted that the claims are novel and inventive over WO9743210, and that the rejection of Claims 1, 3, 5-8, 11-14 and 17-19 on the grounds of anticipation by WO9743210 should be withdrawn.

In light of the foregoing, it is respectfully submitted that the application should now be in a condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,  
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